

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

<b>Teachers4Action et al,</b>	X
v.	:
<b>Bloomberg et al,</b>	:
	:
	:
<b>Defendants.</b>	:
	X

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**NOTICE OF LIMITED VOLUNTARY DISMISSAL OF CERTAIN CAUSES OF ACTION OF JUNE 2, 2008 SECOND AMENDED COMPLAINT PURSUANT TO FRCP 41 (a) (1) (A) (i)**

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In accordance with the previously described submissions, the below listed Plaintiffs hereby voluntarily dismiss the below listed Causes of Action from the June 2, 2008 Second Amended Complaint in accordance with the terms of FRCP 41 (a)(1)(A)(i), and without prejudice, as against the listed Defendants, none of whom/which have filed answers and/or Motions for Summary Judgment.

<u>Named Plaintiff</u>	<u>Cause of Action Voluntarily Dismissed</u>	<u>Claims Dismissed vs. Which Defendants</u>
1. Chavez, Gloria	4 <sup>th</sup> , 7 <sup>th</sup> , 8 <sup>th</sup> , 10 <sup>th</sup> & 12 <sup>th</sup>	All Defendants
2. Cohen, Judy	4 <sup>th</sup> , 7 <sup>th</sup> , 8 <sup>th</sup> , 10 <sup>th</sup> & 12 <sup>th</sup>	All Defendants
3. Cullen, James J.	4 <sup>th</sup> , 7 <sup>th</sup> , 8 <sup>th</sup> , 10 <sup>th</sup> & 12 <sup>th</sup>	All Defendants
4. Hart, Joann	4 <sup>th</sup> , 7 <sup>th</sup> , 8 <sup>th</sup> , 10 <sup>th</sup> & 12 <sup>th</sup>	All Defendants
5. Levine, Jane	4 <sup>th</sup> , 7 <sup>th</sup> , 8 <sup>th</sup> , 10 <sup>th</sup> & 12 <sup>th</sup>	All Defendants
6. Polito, Julianne	4 <sup>th</sup> , 7 <sup>th</sup> , 8 <sup>th</sup> , 10 <sup>th</sup> & 12 <sup>th</sup>	All Defendants
7. Radtke-Gabriel, Alena	4 <sup>th</sup> , 7 <sup>th</sup> , 8 <sup>th</sup> , 10 <sup>th</sup> & 12 <sup>th</sup>	All Defendants
8. Robinson, Thomasina	4 <sup>th</sup> , 7 <sup>th</sup> , 8 <sup>th</sup> , 10 <sup>th</sup> & 12 <sup>th</sup>	All Defendants

9. Saunders, Jennifer	4 <sup>th</sup> , 7 <sup>th</sup> , 8 <sup>th</sup> , 10 <sup>th</sup> & 12 <sup>th</sup>	All Defendants
10. Schlessinger, Alan	4 <sup>th</sup> , 7 <sup>th</sup> , 8 <sup>th</sup> , 10 <sup>th</sup> & 12 <sup>th</sup>	All Defendants
11. Segall, Barbara	4 <sup>th</sup> , 7 <sup>th</sup> , 8 <sup>th</sup> , 10 <sup>th</sup> & 12 <sup>th</sup>	All Defendants

*Note: Copies of the Individual Plaintiffs' Confirmation are attached as evidence that they agree with the Limited Voluntary Dismissal of Certain Causes of Action so that they can pursue the "Core Causes of Action".*

Additional Notices of Limited Voluntary Dismissals of Certain Causes of Action will be forthcoming.

Dated: August 25, 2008  
New York, NY

  
/s/ Edward D. Fagan (electronically signed)  
Edward D. Fagan, Esq.  
5 Penn Plaza, 23<sup>rd</sup> Floor  
New York, NY 10001  
Tel. (646) 378-2225  
Plaintiffs' Counsel

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that the foregoing August 25, 2008 Notice of Limited Voluntary Dismissal of Certain Plaintiffs & Certain Causes of Action

is being filed electronically with the Clerk of the Court.

Hard copies of the papers are being hand delivered to the Hon. Andrew J. Peck USMJ and to counsel of record Blanche Greenfield Esq. Office of Corporation Counsel 100 Church Street, 4<sup>th</sup> Floor, New York, NY and Charles Moerdler Esq. of Stroock Stroock & Lavan 180 Maiden Street, New York, NY

And a courtesy copy delivered electronically to Florian Lewenstein, Plaintiff Pro Se – via email at [florianjl@gmail.com](mailto:florianjl@gmail.com).

Dated: August 25, 2008  
New York, NY

  
/s/ Edward D. Fagan (electronically signed)  
Edward D. Fagan, Esq.

*Chavez,  
Gloria*

Gmail

Edward Fagan <faganlaw@gmail.com>

**FW: Teachers4Action et al v Bloomberg et al 08-cv-548  
(VM)(AJP) CONFIDENTIAL - ATTORNEY CLIENT MEMO**

Sun, Aug 24, 2008 at 11:56 PM

Gloria [REDACTED]  
To: Edward Fagan <faganlaw@gmail.com>

It is OK for you Mr. Fagan to voluntarily dismiss those claims on my behalf.

Thanks

Gloria S. Chavez

Gmail

Cohen,  
Judy

Edward Fagan <faganlaw@gmail.com>

**Re: Teachers4Action et al v Bloomberg et al 08-cv-548  
(VM)(AJP) CONFIDENTIAL ...**

Sun, Aug 24, 2008 at 10:09 PM

To: faganlaw@gmail.com [REDACTED]

Ed,  
It is okay for you to dismiss those claims on my behalf.  
Judy

Gmail

Edward Fagan <faganlaw@gmail.com>

Challenge  
James J

Mon, Aug 25, 2008 at 5:53 PM

vol.dism.

To: faganlaw@gmail.com

dear ed

"i consent to your voluntary dismissal of certain claims as stated in the amended complaint" and " i agree to the pursuance of the core claims".

, regards, jimmy cullen

Gmail

Hart, Joann

Edward Fagan <faganlaw@gmail.com>

(no subject)

To: faganlaw@gmail.com  
[REDACTED]

Sun, Aug 24, 2008 at 9:31 PM

Mr. Fagan,  
It is ok for you to voluntarily dismiss the claims which you discussed, on my behalf.  
Joann Hart

Levine  
Jane

Gmail

Edward Fagan <faganlaw@gmail.com>

## Voluntary Dismissals of Certain Causes of Action

To: faganlaw@gmail.com

Mon, Aug 25, 2008 at 2:49 PM

Dear Ed:

I am giving permission for you to dismiss the claims which you discussed on my behalf.

Jane Levine

Gmail

Pelt,  
Julianne

Edward Fagan <faganlaw@gmail.com>

**Teachers4Action et al v Bloomberg et al 08-cv-548 (VM)(AJP)**  
**CONFIDENTIAL - ATTORNEY CLIENT MEMO**

Mon, Aug 25, 2008 at 12:32 AM

To: Edward Fagan <faganlaw@gmail.com>

Mr. Fagan,

I have read the Aug 24, 2008 Memo and agree that you may voluntarily dismiss those claims noted in that memo on my behalf.

Julianne Polito

*Radtke-Gabriel  
Helen*



Edward Fagan <[faganlaw@gmail.com](mailto:faganlaw@gmail.com)>

**It is OK for you Mr. Fagan to Voluntarily Dismiss Those  
Claims on my Behalf.**

To: Edward Fagan <[faganlaw@gmail.com](mailto:faganlaw@gmail.com)>

Mon, Aug 25, 2008 at 9:29 AM

It is OK for you Mr. Fagan to Voluntarily Dismiss Those Claims on my Behalf.

Thank You  
Alena Radtke-Gabriel

Edward Fagan <faganlaw@gmail.com>

G  
M  
il

## Fwd: Dismissal

E. Fagan <[faganlaw.teachers@gmail.com](mailto:faganlaw.teachers@gmail.com)>  
To: "E. Fagan" <[faganlaw@gmail.com](mailto:faganlaw@gmail.com)>

Mon, Aug 25, 2008 at 5:52 PM

Begin forwarded message:

**From:** Thomasina Robinson [REDACTED]  
**Date:** August 25, 2008 1:47:54 PM EDT  
**To:** Ed Fagan <[faganlaw.teachers@gmail.com](mailto:faganlaw.teachers@gmail.com)>  
**Subject: Dismissal**  
**Reply-To:** [thomasinarob@yahoo.com](mailto:thomasinarob@yahoo.com)

Dear Mr. Fagan,

It's O.K. for you to voluntarily dismiss the claims which you discussed on my behalf. Thank-you

Sincerely,  
Thomasina Robinson

*Robinson,  
Thomasina*

*Saunders,  
Jennifer*

Gmail

Edward Fagan <faganlaw@gmail.com>

**Teachers4Action et al v Bloomberg et al 08-cv-548 (VM)(AJP)**  
**CONFIDENTIAL - ATTORNEY CLIENT MEMO**

Mon, Aug 25, 2008 at 12:21 AM

To: faganlaw@gmail.com  
[REDACTED]

You may voluntarily dismiss these complaints on my behalf.

Jennifer Saunders

[Quoted text hidden]

Schlesinger,  
Alan

Gmail

Edward Fagan <faganlaw@gmail.com>

**Re: Teachers4Action et al v Bloomberg et al 08-cv-548  
(VM)(AJP) CONFIDENTIAL ...**

To: faganlaw@gmail.com

It is OK for you to dismiss the issues you listed  
thanks  
Alan

Mon, Aug 25, 2008 at 3:51 PM

Gmail

Segall  
Barbara

Edward Fagan <faganlaw@gmail.com>

**Teachers4Action et al v Bloomberg et al 08-cv-548 (VM)(AJP)**  
**CONFIDENTIAL - ATTORNEY CLIENT MEMO**

**Barbara Segall** [REDACTED]  
To: Edward Fagan <faganlaw@gmail.com>

ED,

In response to your e-mail "It is OK for you Mr. Fagan to voluntary dismiss those claims on my behalf."

Barbara Segall